

## **EXHIBIT 12**

## **ATTACHMENT 33**

## **EXHIBIT 24**

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

VIDEOTAPED DEPOSITION OF PRADEEP KUMAR KATHAIL  
Palo Alto, California  
Friday, May 27, 2016  
Volume 1

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

Reported by:  
RACHEL FERRIER, CSR No. 6948  
Job No. 2307792  
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1 UNITED STATES DISTRICT COURT 2 NORTHERN DISTRICT OF CALIFORNIA 3 SAN JOSE DIVISION 4 _____ 5 CISCO SYSTEMS, INC., _____ 6 Plaintiff, _____ 7 vs. _____)Case No.: 8 ARISTA NETWORKS, INC., _____)(PSG) 9 Defendant. _____ 10 11 12 13 VIDEOTAPED DEPOSITION OF PRADEEP KUMAR KATHAIL, 14 VOLUME 1, taken on behalf of the Defendant, at Wilson 15 Sonsini Goodrich & Rosati, Palo Alto, 601 California 16 Avenue, California, beginning at 9:27 a.m. and ending at 17 3:39 p.m. on Friday, May 27, 2016, before 18 RACHEL FERRIER, Certified Shorthand Reporter No. 6948. 19 20 21 22 23 24 25	1 APPEARANCES (continued): 2 3 For Defendant: 4 KEKER & VAN NEST 5 BY: DAVID J. SILBERT 6 Attorney at Law 7 633 Battery Street 8 San Francisco, California 94111 9 415.676.2261 10 dsilbert@kvn.com 11 12 For Defendant: 13 WILSON SONSINI GOODRICH & ROSATI 14 BY: BEN LABOW 15 Attorney at Law 16 One Market Plaza 17 Spear Tower, Suite 3300 18 San Francisco, California 94105 19 415.947.2077 20 blabow@wsgr.com 21 22 23 Also Present: 24 JORDAN BOCK 25
Page 2	Page 4  1 APPEARANCES: 2 3 For Plaintiff: 4 QUINN EMANUEL URQUHART & SULLIVAN LLP 5 BY: JORDAN JAFFE 6 Attorney at Law 7 50 California Street, 22nd Floor 8 San Francisco, California 94111 9 415.875.6600 10 jordanjaffe@quinnemanuel.com 11 12 And 13 KIRKLAND & ELLIS LLP 14 BY: REZA DOKHANCHY 15 Attorney at Law 16 555 California Street 17 San Francisco, California 94104 18 415.439.1469 19 reza.dokhanchy@kirkland.com 20 21 22 23 24 25

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1 you came up -- you refer to a couple, makes sense and  
 2 using the right words.  
 3 What -- can you explain to me what criteria you  
 4 used when you came up with the words to be used in a CLI  
 5 command?  
 6 MR. JAFFE: Objection; calls for speculation,  
 7 vague.  
 8 THE WITNESS: Most of the time, you want to make  
 9 sure that the words are such that they are  
 10 self-explanatory -- okay? -- as well as they are the  
 11 terminology you are using from the networking world.  
 12 BY MR. SILBERT:  
 13 Q Okay. Any others criteria that come to mind?  
 14 A No. Then we have the whole group which reviews  
 15 them and bunch of things happen, so.  
 16 MR. SILBERT: Okay. Thank you very much, sir. I  
 17 have no further questions for you.  
 18 THE WITNESS: Okay. Thank you.  
 19 MR. JAFFE: I just have a couple quick questions.  
 20 EXAMINATION  
 21 BY MR. JAFFE:  
 22 Q When you were just talking with Mr. Silbert about  
 23 the time that you created CLI commands, you said it was  
 24 a long time ago.  
 25 About how long ago was it?

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1 these commands -- personally, I don't remember mine, but  
 2 I know that when these commands go through the review --  
 3 okay? -- there's a lot of discussion goes back and  
 4 forth, not only on the words but also on the syntax,  
 5 what the word location is, why the word location is, and  
 6 whether do we need that word or whether we can get that  
 7 kind of information from previous commands which were  
 8 issued, so there's a lot of discussion goes around it.  
 9 Q The other question I had for you is, earlier  
 10 today, this morning, you mentioned -- referring to  
 11 Cisco's CLI as the gold standard, and I just wanted to  
 12 ask what you meant by that?  
 13 A The gold standard, meaning there is few things  
 14 which our customer expects. Okay? But our -- and some  
 15 of them we define -- I just described it when defining  
 16 the CLI command. Okay? Some of those things are that,  
 17 through the CLI, you are not asking repeatedly the same  
 18 information which I have given you in the previous  
 19 command, just as an example. Okay?  
 20 The other thing is that the CLI is very  
 21 informative. Okay? You can get all that information  
 22 from CLI.  
 23 So those are the things that industry expects a  
 24 common-line interface to have. Okay? And Cisco CLI is  
 25 being used as the bar to match when people talk about

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1 A Probably when I joined Cisco, so '98, '99, 2000.  
 2 That will be the time.  
 3 Q And you mentioned that it would take a couple  
 4 weeks to -- to work on the structure or syntax of the  
 5 command.  
 6 Do you consider many different alternative  
 7 structures during those couple weeks?  
 8 A Yeah. That -- this is the whole process, where  
 9 you come up with a CLI command. You review it with a  
 10 whole set of group. You sometimes may even talk to the  
 11 customer saying, "Does this make sense or not?" And  
 12 then you go back and update based on the feedback.  
 13 Q And you mentioned, when Mr. Silbert asked you  
 14 about make sure that the words are such that they are  
 15 self-explanatory, what did you mean by that?  
 16 A You want to use the words where customer doesn't  
 17 have to go through and read a dictionary to say what  
 18 does that word mean. So we want to make sure that they  
 19 are coming from vocabulary which networking users use  
 20 day in and day out, so you want to use very known,  
 21 familiar words.  
 22 Q Did you recall that you ever proposed any words  
 23 and then other words were substituted in after review  
 24 within Cisco?  
 25 A I really don't remember, but I know that when

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1 the CLI or other customer -- other competitors' CLI.  
 2 MR. JAFFE: Okay. I don't have any further  
 3 questions.  
 4 MR. SILBERT: Nothing further.  
 5 THE VIDEOGRAPHER: This is the end of today's  
 6 deposition of Mr. Pradeep Kathail.  
 7 We are off the record at 3:38 p.m. and the total  
 8 number of media used was three and it will be retained  
 9 by Veritext. Thank you.  
 10 (Recess taken.)  
 11 MR. JAFFE: We are back on the record just  
 12 briefly so I can specify that the witness reserves his  
 13 right to read and sign.  
 14 (TIME NOTED: 3:39 P.M.)  
 15  
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1 I, PRADEEP KUMAR KATHAIL, do hereby declare  
2 under penalty of perjury that I have read the foregoing  
3 transcript; that I have made any corrections as appear  
4 noted, in ink, initialed by me, or attached hereto; that  
5 my testimony as contained herein, as corrected, is true  
6 and correct.

7 EXECUTED this \_\_\_\_ day of \_\_\_\_\_,  
8 2016, at \_\_\_\_\_, \_\_\_\_\_.  
9 (City) (State)

10

11 \_\_\_\_\_

12 PRADEEP KUMAR KATHAIL

13 VOLUME 1

14

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4 I, the undersigned, a Certified Shorthand  
5 Reporter of the State of California, do hereby certify:  
6 That the foregoing proceedings were taken before  
7 me at the time and place herein set forth; that any  
8 witnesses in the foregoing proceedings, prior to  
9 testifying, were placed under oath; that a verbatim  
10 record of the proceedings was made by me using machine  
11 shorthand which was thereafter transcribed under my  
12 direction; further, that the foregoing is an accurate  
13 transcription thereof.

14 I further certify that I am neither financially  
15 interested in the action nor a relative or employee of  
16 any attorney or any of the parties.

17 IN WITNESS WHEREOF, I have this date subscribed  
18 my name.

19

20 Dated: 06/06/2016

21

22

23



24 RACHEL FERRIER

25 CSR No. 6948

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